IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 9837 of 1995

Between:

K Srinivas, S/o.K.Naranji, aged about 25 years,

Occupation: Dailywage worker, R/o.46,

Vice-Chancellor Lodge Quarters,

Osmania University, Hyderabad.

..... PETITIONER

AND

1. University Grants Commission,

Bahadur Shah Zafar Marg,

New Delhi-110 002 rep.by its

Chairman

2. Southern Regional Office,

University Grants Commission,

Post Box No.152, Andhra Pradesh

State Finance Corporation Building

(4th Floor), 5-9-194, Chirag Ali Lane,

Hyderabad-500 001, rep.by

Its Deputy Secretary & Head

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus directing the respondents herein to appoint the petitioner herein as Peon on permanent basis by regularizing his services, and pass such other order.

Counsel for the Petitioner: SMT.G.JYOTHI KIRAN

Counsel for the Respondents: MR.V.V.PRABHAKARA RAO

The Court made the following:

ORDER:

The petitioner is working as a daily wage employee under the control of the 1st respondent at Hyderabad since 01.02.1992. Subsequently, he joined in the office of the 2nd respondent on 12.09.1994 as a Peon on daily wage basis. The petitioner contends that he has been working since then without any break. Subsequently, the 1st respondent wrote a letter to the 2nd respondent on 20.12.1994 informing that one post of Peon has been sanctioned for the office of the

2nd respondent and directed to consider the cases of the candidates, including a candidate, who obtained some order from Delhi High Court. The 1st respondent forwarded a list of casual workers in order of seniority along with addresses and asked the 2nd respondent to consider them for appointment on permanent basis, if they are willing.

2. The contention of the petitioner is that all those candidates, whose names were sent, are juniors to him. Immediately after coming to know about the letter sent by the 1st respondent, the petitioner made representations through the

2nd respondent to the 1st respondent on 06.01.1995 and 01.02.1995, requesting to appoint him as a Peon on permanent basis at Hyderabad, but there was no response. He further submits that he came to know that the 2nd respondent was proposing to conduct interviews for the post of Peon on 30.05.1995. The

2nd respondent, on entertaining a doubt whether to call the petitioner for interview or not, decided not to call the petitioner for interview along with other

daily wage workers, on the ground that he did not approach the High Court at Delhi along with other casual workers. The petitioner, therefore, approached this Court through this writ petition, seeking a direction to the respondents to permit him for interview and to appoint him as a Peon on permanent basis by regularizing his services.

3. After filing of this writ petition, an interim direction was given to the respondents on 16.05.1995 in W.P.M.P.No.12185 of 1995, directing them to permit the petitioner for interview. Accordingly, the petitioner was permitted for interview.

4. Subsequent to the interview, the petitioner did not furnish any information whether he was selected in the said interview for regular appointment or what was the result of the interview. The grievance of the petitioner that the respondents were not contemplating to call him for interview was redressed in the interim direction and he was permitted to appear for an interview. Had there been any grievance for the petitioner subsequent to the date of interview, he ought to have approached the Court or appropriate Forum for necessary redressal.

5. If the petitioner had already not been considered for regular appointment, he may make a further representation to the respondents for consideration, and if he does not get any favourable order, he is at liberty to further agitate according to law.

6. The Writ Petition is, accordingly, disposed of.

dsr

ASSISTANT REGISTRAR

To:

1. The Chairman,

University Grants Commission,

Bahadur Shah Zafar Marg, New Delhi-110 002

2. The Deputy Secretary & Head,

Southern Regional Office,

University Grants Commission,

Post Box No.152, Andhra Pradesh State

Finance Corporation Building (4th Floor)

5-9-194, Chirag Ali Lane,

Hyderabad – 500 001.

3. Two CD copies.